Remarks:

The above amendments and these remarks are responsive to the Office

action dated February 7, 2005. At the time of the present Office action, claims 1-7,

12, 15-17, 21, 23-27, 30 and 31 remained pending in this application.

In the Office action, all pending claims were rejected under 35 U.S.C. § 103(a)

based on Martin et al. (U.S. Patent No. 6,163,662), either alone or in view of

Hammond, III (U.S. Patent No. 4,381,154), Karlsson (U.S. Patent No. 6,034,360),

Nakamura (U.S. Patent No. 5,599,104), Weiss (U.S. Patent No. 4,887,229), Pompei

(U.S. Patent No. 6,499,877) and/or JP 01242947A.

By this Amendment, claim 1, 12, 23, 25-27 and 30 are amended. No claims

are cancelled. None are added. In view of the aforementioned amendments, and

the following remarks, applicants request reconsideration of the rejected claims

under 37 C.F.R. § 1.111.

Rejections under 35 U.S.C. § 103(a)

As noted, claims 1-7, 12, 15-17, 21, 23-27, 30, and 31 are rejected under 35

U.S.C. § 103(a) as being obvious over Martin et al., either alone or in view of

Hammond, III, Karlsson, Nakamura, Weiss, Pompei and/or JP 01242947A.

Applicant respectfully traverses the rejections under 35 U.S.C. § 103(a).

Martin et al. discloses an image forming device which employs fusing

assemblies to form an image on a media sheet. In the relevant embodiment

(reproduced below), the device includes a sensor 22b having a heat source 25 and a

temperature sensing device 27. The heat source and temperature sensing device

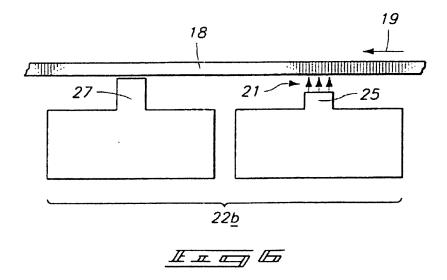
are placed along a media path traveled by a media sheet 18. Heat source 25

imparts a heat flux 21. and temperature sensing device 27 (which is located

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downstream of heat source 25) monitors the temperature of media sheet 18.



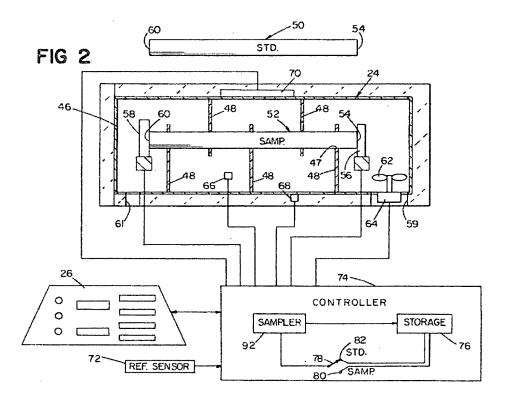
Martin et al. does not disclose or suggest identification of "a particular print media type of the print media based on the heat capacity of the print media" (emphasis added) as recited in amended claims 1, 26, 27 and 30. Similarly, Martin et al. does not disclose or suggest "a processor coupled with the temperature sensor to selectively identify print media type based on sensed temperature of the print media" (emphasis added), as recited in amended claims 12 and 23. In fact, Martin et al does not even consider identification of print media type. Martin et al. discloses nothing more than determining thermal characteristics of media within an image forming device.

The Examiner asserts that determination of heat capacity is, "at least at some degree, indicative of the type of media" (see, paragraph 2 of the present Office action). According to the Examiner, "[i]t is inherent that, different medias have different thermal response to heating" (see, paragraph 13 of the present Office action). The Examiner fails to recognize, however, that it does not necessarily follow that it is possible to identify a <u>particular print media type</u> based on a determined heat

Page 9 - AMENDMENT Serial No. 10/806,518 HP Docket No. 10014908-5 KH Docket No. HPCB 338A capacity of the print media. In fact, as noted above, Martin et al. does not even consider the need to identify the particular print media type.

Martin et al. similarly fails to disclose or suggest identification of print media type based on sensed temperature. In fact, the Examiner expressly notes the failure of Martin et al. to teach identifying media based on sensed temperature in paragraphs 5, 6, 11 and 12 of the present Office action. The Examiner thus cites Hammond, III.

Hammond, III discloses a method and apparatus for determining purity of a sample bar of precious metal "by testing the sample only when the temperature has reached an equilibrium, and by compensating for differences in environment and starting temperature." See, Abstract. According to Hammond, III, "a dynamic insulation system prevents heat loss from a system under test." See, Abstract. The Hammond III apparatus is reproduced below.



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As indicated, the device includes a bar heater 56 that applies heat to a bar of

precious metal 52, and a bar temperature sensor 58 that senses temperature of that

bar. The temperature vs. time response of bar 52 is compared to the temperature

vs. time response of a standard bar to determine the purity of composition of the bar

(Hammond, III, col. 5, Ins. 25-34).

Hammond, III, does not, however, disclose or suggest a system that identifies

print media type based on heat capacity, or based on sensed temperature. In fact,

Hammond, III does not even concern identification media in any form of media

processing device. Hammond, III relates only to determining purity of precious

metals, and is not even analogous to identifying a particular print media type in a

media processing device. Accordingly the proposed combination of Hammond, III

with Martin et al. must fail.

In the case of In re Clay, 966 F.2d 656, 23 USPQ2d 1058 (Fed. Cir. 1992),

the Federal Circuit provided the test to determine whether a reference in the prior art

is "analogous" or not.

Two criteria have evolved for determining whether prior art is analogous: (1) whether the art is from the same field of endeavor, regardless of the problem addressed, and (2) if the reference is not

within the field of the inventor's endeavor, whether the reference still is reasonably pertinent to the particular problem with which the

inventor is involved.

Hammond, III is not from the same field of endeavor and is not reasonably pertinent

to the particular problem at hand. First, the field of endeavor of Hammond, III is

precious metal purity authentication. Applicant's claims relate to media processing

devices, such as laser printers and media sorters, an entirely different field of

endeavor than that of Hammond, III. Second, Hammond, III is concerned with

providing a method and apparatus to determine whether a bar of precious metal has

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a purity of composition that is within a given range of variance from that of a

standard bar of known purity of composition (Hammond, III, col. 1, Ins. 12-15), while

applicant's invention is concerned with identifying the print media type used in media

processing devices. Thus, Hammond, III does is not reasonably pertinent to the

particular problem at hand in the present application. Therefore, Hammond, III is

nonanalogous art.

Moreover, there is no suggestion, motivation or teaching to combine

Hammond, III with Martin et al. As discussed above, Hammond, III discloses a

method and apparatus to determine whether a bar of precious metal has a purity of

composition that is within a given range of variance from that of a standard bar of

known purity of composition. In contrast, Martin et al. discloses image forming

devices and method of forming an image using control circuitry to control fusing

operations. A person skilled in the art and confronted with problems inherent in

Martin et al. would not consult the teachings of Hammond, III, or vice-versa.

The Examiner also has cited various other references, including Karlsson,

Nakamura, Weiss, Pompei and JP 01242947A. However, none of those references

discloses or suggests identification of a particular print media type in a media

processing devices, much less identifying media type based on heat capacity of the

media, or based on the sensed temperature of the media, as recited in the

independent claims.

For at least the foregoing reasons, the rejections of claims 1-7, 12, 15-17, 21,

23-27, 30 and 31 should be withdrawn.

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Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, the Examiner is asked to please contact the undersigned attorney of record.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on May 3, 2005.

Christie A. Doolittle

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